

**(1) First and Final Account and Report of Personal Representative, (2) Petition for Settlement, for Allowance of Statutory Commissions and Extraordinary Fees, (3) Attorneys' Fees for Ordinary and Extraordinary Services, Costs and for (4) Final Distribution [Prob. C. 11640 & CRC 7.702-7.705]**

<b>DOD: 4-26-08</b>		<b>OLIVIA RENDON</b> , Administrator with full IAEA with bond of \$135,000.00, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 4-26-08 through 1-26-12</b>	<b>1. Notice of Hearing filed 3-15-12</b> includes service on Graciela Llamas, who filed a Request for Special Notice on 10-2-08; however, a copy of the petition was not included.  Probate Code §1252 requires that a copy of the Petition be served with the Notice of Hearing at least 15 days prior to the hearing on the person named in the Request for Special Notice.  Therefore, unless the Court dispenses with the notice, or notice is waived by Ms. Llamas, further service <i>including the petition</i> may be required.
		Accounting: \$98,995.41 Beginning POH: \$95,000.00 Ending POH: \$74,766.64	
	<b>Aff.Sub.Wit.</b>		<b>2. Examiner notes that Probate Code §§ 3610 and 3611(e) allow funds under \$5,000.00 from a judgment belonging to a minor or person with a disability to be paid pursuant to §3400.</b>  §3400 allows a parent to receive funds for a minor, but does not specifically refer to persons with a disability as mentioned in §3610.  Petitioner states Angelica Rivera (disabled heir) is cared for by her sister, Ida Perez. Therefore, the Court may require clarification as to how Angelica's share is to be paid – i.e., directly to her, or to Ms. Perez.
✓	<b>Verified</b>		
✓	<b>Inventory</b>		<b>3. Need order.</b>
✓	<b>PTC</b>		
✓	<b>Not.Cred.</b>		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 4-19-12 <b>Updates:</b> <b>Recommendation:</b> File 1 - Rivera
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/O	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>	10-16-08	
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
✓	<b>9202</b>		
	<b>Order</b>	X	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		

Atty LeVan, Nancy J., sole practitioner (for Petitioner Pamela L. Gordy, Conservator)

Atty Knudson, David N., sole practitioner (Court-appointed for Conservatee )

(1) First Account and Report of Conservator, (2) Petition for Reimbursement of Expenses, (3) Petition for Allowance of Fees to Attorney for Conservator (Prob. 2620, 2623, 2640)

Age: 81 years		PAMELA L. GORDY, daughter and Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 12/5/1930			
		Account period: 1/19/2011 – 2/29/2012	<p><b>Note: Other than a deposit of \$118,042.24 listed in <i>Schedule A, Receipts</i>, the <i>First Account</i> does not include any information regarding the sale of the Conservatee's residence done pursuant to Probate Code § 2590 powers, which sale based upon Court records was confirmed by the Court per the <i>Order Confirming Sale of Real Property</i> signed on 3/28/2011. Significant actions such as this taken by the Conservator should be included in an accounting of a conservatorship estate, particularly the first account, to ensure the account accurately reflects the acts and transactions of the Conservator that occurred during the account period.</b></p>
		Accounting - \$289,238.86	
		Beginning POH - \$130,300.00	
		Ending POH - \$97,919.61 (all cash)	
Cont. from		Conservator - waives	
	Aff.Sub.Wit	Conservator Costs - \$10,726.98 (per itemization; please see Note below;)	
✓	Verified	Attorney - \$2,000.00 (no itemization; less than per Local Rule 7.16 for establishment of conservatorship and first account;)	
✓	Inventory	Bond - \$121,060.00 (sufficient)	
	PTC	<b>Petitioner requests</b> the Court approve and allow reimbursement to her of the expenses she extended to the Conservatee in the amount of <b>\$10,726.98</b> .	
	Not.Cred.	Petitioner states she felt many of the meals at the care facility were insufficient in quality and freshness and she supplemented the Conservatee's meals with additional food to keep Conservatee's nutrition at a healthy level. ( <i>Note: Total amount requested includes three payments to Conservatee's residential care facility of \$3,079.00 for December 2010, and \$2,800.00 for January and February 2011; cost of supplemental food totals ~\$444.42.</i> )	
✓	Notice of Hrg	<b>Petitioner prays for an Order:</b>	
✓	Aff.Mail	1. Approving, allowing and settling the First Account;	
	Aff.Pub.	2. Authorizing Petitioner to reimburse herself <b>\$10,726.98</b> for expenses advanced to the Conservatee;	
	Sp.Ntc.	3. Authorizing Petitioner to pay <b>\$2,000.00</b> for attorney fees.	
	Pers.Serv.	<b>Court Investigator Jennifer Young's Report was filed on 2/1/2012.</b>	
	Conf. Screen		
	Letters		
	Duties/S		
	Objections		
	Video Rcpt		
✓	CI Report		
✓	2620		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: LEG

Reviewed on: 4/19/12

Updates:

Recommendation:

File 2 - Gordy

(1) First and Final Report Current on Waiver of Account, for (2) Settlement Thereof, for Statutory Attorney Fees and Reimbursement of Costs, and for (3) Final Judgment of Distribution

<b>DOD: 5/4/2010</b>			<b>JAROL F. DUERKSEN,</b> Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			Accounting is waived.	
<b>Cont. from 032912</b>				
	Aff.Sub.Wit.		I & A -	<b>\$34,500.00</b>
✓	Verified		POH -	<b>\$34,500.00</b>
✓	Inventory		Administrator -	<b>waives</b>
✓	PTC		Attorney -	<b>\$1,380.00</b>
✓	Not.Cred.		(statutory, \$330.00 has already been paid, leaving a balance of \$1,050.00)	
✓	Notice of Hrg	W/	Costs -	<b>\$915.53</b>
✓	Aff.Mail		(filing fees, publication)	
	Aff.Pub.		Distribution, pursuant to intestate succession, is to:	
	Sp.Ntc.		Jarol F. Duerksen - ½ interest in decedent's 1/3 interest in real property located in Dinuba, California.	
	Pers.Serv.		Rowena L. Jensen - ½ interest in decedent's 1/3 interest in real property located in Dinuba, California.	
	Conf. Screen			
✓	Letters	11/18/11		
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			

<b>Reviewed by: KT</b>
<b>Reviewed on: 4/19/12</b>
<b>Updates:</b>
<b>Recommendation: SUBMITTED</b>
<b>File 3 - Guinn</b>

**Petition for Approval of Attorney's Fees (Prob. C. 2642)**

			<b>DAVID A. ROBERTS</b> , attorney for David J. St. Louis, Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			Petitioner requests fees in connection with legal services rendered to the Acting Conservator and then Conservator David J. St. Louis, from 8-17-11 to 2-29-12.	1. Petitioner's costs request includes \$1.00 for photocopies. The Court considers photocopies to be a cost of doing business and not reimbursable (Local Rule 7.17.B.1.). The Court may reduce costs by \$1.00 to \$957.50.
	Aff.Sub.Wit.		Petitioner asks that he be paid from the conservatorship estate for attorney hours @ \$300.00/hr and paralegal hours @ \$100.00/hr for a total of <b>\$1,380.00, plus costs in the sum of \$958.50.</b>	
✓	Verified			
	Inventory		Services are itemized by date and include telephone conferences with the Court Investigator, Attorney Deborah Boyett (Court-appointed counsel for Conservatee), Attorney William Keeler (representing Wells Fargo Bank), and numerous other individuals who received notice and either objected or requested further information. Costs include filing fees, service of citation, witness fees, certified letters, and photocopies).	
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting		Reviewed by: skc	
	Status Rpt		Reviewed on: 4-19-12	
	UCCJEA		Updates: 4-25-12	
	Citation		Recommendation:	
	FTB Notice		File 4 - Bingham	

**Amended Petition for Approval of Attorneys' Fees [Prob. C. 2642]**

			<b>DAVID A. ROBERTS</b> , attorney for David J. St. Louis, Conservator, is Petitioner.  Petitioner requests fees in connection with legal services rendered to the Acting Conservator and then Conservator David J. St. Louis, from 8-17-11 to 3-21-12.  Petitioner asks that he be paid from the conservatorship estate for attorney hours @ \$300.00/hr and paralegal hours @ \$100.00/hr <b>for a total of \$13,260.90, plus costs in the sum of \$607.10.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  2. Petitioner's costs request includes \$89.60 for photocopies. The Court considers photocopies to be a cost of doing business and not reimbursable (Local Rule 7.17.B.1.). The Court may reduce costs by \$89.60 to \$517.50.	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg		Petitioner asks that he be paid from the conservatorship estate for attorney hours @ \$300.00/hr and paralegal hours @ \$100.00/hr <b>for a total of \$13,260.90, plus costs in the sum of \$607.10.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  2. Petitioner's costs request includes \$89.60 for photocopies. The Court considers photocopies to be a cost of doing business and not reimbursable (Local Rule 7.17.B.1.). The Court may reduce costs by \$89.60 to \$517.50.	
✓	Aff.Mail				
✓	Aff.Pub.	W			
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report		Services are itemized by date and include telephone conferences with the Court Investigator, Conservator, Attorney Curtis Rindlisbacher (Court-appointed counsel for Conservatee), Attorney William Keeler (representing Wells Fargo Bank), and numerous other individuals who received notice and either objected or requested further information. Petitioner also prepared expert witnesses and generally prepared for a scheduled trial on the issue of placement in a care facility vs. Mr. Bingham's own home, and attended several hearings. Costs include filing fees, service of citation, witness fees, certified letters, and photocopies).	<b>NEEDS/PROBLEMS/COMMENTS:</b>  2. Petitioner's costs request includes \$89.60 for photocopies. The Court considers photocopies to be a cost of doing business and not reimbursable (Local Rule 7.17.B.1.). The Court may reduce costs by \$89.60 to \$517.50.	
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				
					<b>Reviewed by:</b> skc
					<b>Reviewed on:</b> 4-20-12
			<b>Updates:</b>		
			<b>Recommendation:</b>		
			<b>File 5B - Bingham</b>		

(1) Petition Pursuant to Prob. C. §17200; (2) Request for Accounting; (3) Request for Suspension of Trustee Powers; (4) Request for Removal of Trustee; (5) Request for Appointment of Neutral Trustee; (6) Request for Reimbursement of Attorney's Fees and Costs [Prob. C. §17200]

Louis Varni DOD: 2-25-10		<p><b>DOROTHY POWELL</b>, by and through her agent, <b>CRAIG POWELL</b>, is Petitioner. Petitioner is the sister of Eva Varni and a beneficiary of the <b>VARNI FAMILY TRUST created 3-27-97, amended and restated in its entirety on 2-21-03, and amended on 12-3-03.</b></p> <p><b>ALBERT PINASCO</b> is the sole remaining successor trustee by the terms of the trust (he served as an initial co-trustee with the trustors, then as co-trustee with the surviving trustor, and now alone) and pursuant to the Notification by Trustee under Probate Code §16061.7 executed on 1-21-11 (attached). Mr. Pinasco is also a beneficiary and an officer of the Varni Corporation, which is owned by the trust.</p> <p>Petitioner states Mr. Pinasco has failed to keep beneficiaries reasonably informed of the status of the administration of the trust and has failed to furnish the material information necessary to protect the beneficiaries' interests as required by Probate Code §§ 16060 and 16061.</p> <p>After the death of the surviving trustor on 2-25-10, Petitioner did not receive any information regarding the trust for nearly 11 months. Petitioner contacted the trustee and requested a copy of the trust and asset information beginning in October 2010; however, the first formal information received was the notification to beneficiaries which was sent on 1-21-11 (almost one year after the death of the surviving trustor).</p> <p>Petitioner also requested information regarding the assets of the trust, an accounting, and requested to meet with the trustee regarding trust administration.</p> <p>In response, Petitioner was provided with a one-page document listing the principal assets of the trust as four parcels of real estate and 100% of the shares in the Varni Corporation. No asset valuations or accounting was provided.</p> <p style="text-align: center;"><b>SEE PAGE 2</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>CONTINUED TO 5-31-12</u></b> Per Stipulation and Order filed 4-23-12</p> <p><u>Continued from 2-1-12, 3-5-12, 3-15-12.</u></p> <p><u>Note:</u> On 1-26-12, the Probate Clerks' Office received a telephone call from an attorney associated with the trust (not Frederick W. Smith, Jr.), who stated that this <u>Petitioner, Dorothy Powell, has died</u>, and requested to continue the matter. The clerk informed the caller that only the Petitioner's attorney could receive a continuance by phone.</p> <p><u>Therefore, this matter remains on calendar, subject to the following issues:</u></p> <p>1. The Petition is brought by Dorothy Powell, by and through her agent, Craig Powell, who signed the verification. However, the Petition does not explain the circumstances of the agency or the relationship between Dorothy Powell and Craig Powell.</p> <p>Craig Powell has not been appointed as a guardian ad litem by the Court in this proceeding pursuant to Probate Code §1003.</p> <p>Additionally, the Court has been informed that Petitioner Dorothy Powell has died.</p> <p><u>Therefore, based on all of these issues, need clarification and authority for CRAIG POWELL to bring this petition, and verify it, on behalf of DOROTHY POWELL.</u></p> <p><u>If the parties wish to pursue this matter, the Court may require amendment.</u></p> <p style="text-align: center;"><b>SEE PAGE 3</b></p>
Eva Varni DOD: 9-18-05			
Cont. from 020112, 030512			
Aff.Sub.Wit.			
✓ Verified	X		
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

**SUMMARY (Continued):**

**Petitioner did not receive any detailed information until a beneficiaries' meeting on 8-6-11, to which she was forbidden to bring representation of any kind.** At the meeting, a PowerPoint presentation included a list of the properties owned and a balance sheet for Varni Corporation (*not the trust*). This information was provided 18 months after the death of the surviving trustor and still no accounting was provided.

**Petitioner states the trustee has not provided an accounting pursuant to Probate Code §16062, which requires account at termination or at least annually.** A letter from the trustee's counsel dated 1-27-11 stated an accounting would be forthcoming, but the only information Petitioner received is the list and balance sheet noted above and provided at the beneficiaries' meeting. These documents do not conform to the requirements for the contents of an accounting (Probate Code §16063), including receipts and disbursements, assets and liabilities, trustee's compensation, and compensation of any agents hired.

**In addition, Petitioner is informed and believes the trustee purchased a residence and adjacent vacant lot in Tahoma, California for \$865,000.00, and spent \$27,778.92 for additional improvements to the property, presumably an investment for the trust.** The balance sheet provided to beneficiaries shows the property has expenses of \$62,198.76 for the period 6/2010-5/2011, yet this property has not generated any income. The purchase was made in December 2009, two months before the death of Louis Varni, at which Mr. Pinasco was a co-trustee. Mr. Varni was supposedly the beneficiary of this purchase; however, at that time, he was in poor health and advanced in age and it was highly unlikely that he would have ever visited or used the property. Petitioner speculates that Mr. Pinasco has used it himself since it has not been rented to third parties.

A trustee has a duty to manage assets as a prudent investor would, exercise reasonable care, skill and caution per Probate Code §16047(a), and also has a duty to make the trust property productive. The purchase and subsequent management of the Tahoma Property is a violation of the trustee's duty, since approximately one million dollars from the trust was spent on it, but it has not been rented out or generated any income. This money could have been available to distribute to beneficiaries of the trust.

**Petitioner states the trustee has only made one small distribution to the beneficiaries at the meeting.**

He has not provided a list of assets or proposed distribution schedule. Specifically, he has failed to make the distributions of tangible personal property in violation of the specific trustee's duties.

**Petitioner further states that the trustee has a conflict of interest in that he is trustee, beneficiary, and an officer of Varni Corporation, which is owned by the trust.** Trustees are subject to removal whenever it appears that their private interests conflict with their trust duties, and when it appears that trust property has been appropriated to their own use. See Moore v. Bowes (1937) 8 C.2d 162, 165; Estate of Vokal (1953) 121 C.A.2d 252, 258. Petitioner states that because he "is wearing multiple hats" it is difficult for him to act in the best interest of all trust beneficiaries.

**Petitioner states the trustee should be removed from office, his powers suspended, and an independent successor trustee appointed because:**

- He does not keep the beneficiaries informed regarding the administration of the trust;
- He has not provided an accounting for the trust;
- He has mismanaged assets of the trust; and
- He has not distributed the assets of the trust.

**Petitioner also requests that the Court order trustee's compensation and/or share of the assets be charged for Petitioner's attorney's fees and costs for bringing this Petition.**

**Petitioner requests an Order:**

- That Mr. Pinasco provide an accounting of the assets in the trust and the subtrusts created thereunder;
- That Mr. Pinasco be removed as trustee;
- That Justice Steven M. Vartabedian be appointed as the neutral successor trustee;
- That Mr. Pinasco surrender all assets of the trust and subtrusts created thereunder to the Court-appointed neutral successor trustee;
- That Mr. Pinasco's compensation/distributive share of the trust be charged and credited to Petitioner for the costs and attorney's fees for bringing this Petition; and
- Any such additional order as the Court deems proper.

**SEE PAGE 3**

**NEEDS/PROBLEMS/COMMENTS (Continued):**

- 2. Petitioner provides a list of parties entitled to notice pursuant to Probate Code §17201; however, there appear to be a number of beneficiaries who are not included.**

**The Court may require clarification and notice pursuant to Probate Code §17201 and Cal. Rule of Court 7.51 (including minors).**

**The list of persons that may require notice may include:**

- Roberta (Jane) Pores (Eva Varni's sister)**
- Eva Varni's five grand-nieces and nephews**
- Kimala Hockey and her children**
- Dan Stetson and Jan Stetson (unknown relation to Eva Varni)**
- Kathy Pinasco and Sherry Pinasco (unknown relation to Eva Varni)**
- Lisa Pacheco (Louis Varni's sister)**
- Heirs of deceased heirs, as mentioned in the trust**
- "caregivers who served Eva Varni and Louis Varni during their lifetimes" pursuant to the 2-21-06 Amendment.**

**Note: 30 days' notice is required. The Court may not shorten time for giving notice per Probate Code §17203(b).**

- 3. Petitioner requests appointment of Justice Steven M. Vartabedian as the neutral successor trustee; however, there is no indication that he is aware of or would agree to serve as successor trustee. He was not served with notice of this petition, and there is no signed consent or acceptance of trust provided.**
- 4. Pursuant to Probate Code §15602, a person not named as a trustee in the trust instrument must provide a bond; however, Petitioner does not provide an estimate for bond purposes. The code states that the Court may not excuse the requirement except in compelling circumstances.**
-



Atty Cruz, Javier (pro per Petitioner/non-relative)

Atty Solis, Erica (pro per Objector/mother)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510) (as to Javier Cruz)

Age: 3 years DOB: 1/20/2009		<b><u>TEMPORARY EXPIRES 4/26/2012</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  This petition is as to AUDRINA only.
		<b>JAVIER CRUZ</b> , non-relative, is petitioner.	
		Father: <b>GERALDO GUILPA</b> – <i>Notice dispensed with per minute order dated 1/31/12.</i>	
Cont. from		Mother: <b>ERICA SOLIS</b> - <i>Petitioner requests the court dispense with notice.</i>	
	Aff.Sub.Wit.		
✓	Verified	Paternal grandparents: unknown Maternal grandfather: Javier Solis – <i>Declaration of Due Diligence filed on 1/17/2012.</i> Maternal grandmother: Maryanne Parks	
	Inventory		
	PTC	<b>Petitioner states</b> the child's father is in prison serving a 95 year to life term, neither the father nor his family has ever been a part of the child's life. The mother of the child left the child in Petitioner's care when she was 3 months old. The mother is now threatening to remove the child from the proposed guardian. Mother is a known meth user and does not have a stable home.	
	Not.Cred.		
✓	Notice of Hrg	<b>Objections of mother, Erica Solis filed on 1/30/12</b> states she has no intention of giving up her parental rights or guardianship of Audrina.	
✓	Aff.Mail		
	Aff.Pub.	<b>Court Investigator JoAnn Morris' Report filed on 4/12/12.</b>	
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 4/19/12
Updates:
Recommendation:
File 7A - Solis

7A

**7B Audrina Solis & Brandon Solis (GUARD/P)**  
 Atty Cruz, Javier (pro per Temporary Guardian of Audrina Solis)  
 Atty Parks, Jeffrey N (pro per Petitioner/maternal step-grandfather)  
 Atty Parks, MaryAnn (pro per Petitioner/maternal grandmother)

Case No. 12CEPR00055

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (as to Jeffrey Parks & Mary Parks)

Brandon age: 4 years DOB: 8/31/2007		<u><b>Temporary as to Brandon only 4/26/2012</b></u>  <b>MARY ANN PARKS</b> , maternal grandmother, and <b>JEFFREY PARKS</b> , maternal step-grandfather, are petitioners.  <b>JAVIER CRUZ</b> is currently the temporary guardian of Audrina Solis. Letters expire 4/26/12. – <i>Personally served on 3/6/12.</i>  Brandon's father: <b>FERNANDO MORA</b> – <i>Declaration of Due Diligence filed on 3/9/12.</i> Audrina's father: <b>GERALDO GUIBA</b> – <i>Notice dispensed with per minute order dated 1/31/12.</i>  Mother: <b>ERICA RENEE SOLIS</b> – <i>consents and waives notice.</i>  Brandon's paternal grandfather: unknown Audrina's paternal grandfather: unknown Maternal grandfather: Javier Solis- <i>served on 3/7/12</i>  <b>Petitioners state</b> in April 2011, Audrina started staying with Javier Cruz and Violet Mittie, with an agreement between the mother and them. Violet died on 2/14/12. Since then Audrina has been living with two adult men, one being Javier the other being Matt, the son of Violet, who has a felony record. There is also a younger son of Violet's Chris, he is 17. This leaves Audrina with no motherly care at the age of 3.  <b>Court Investigator JoAnn Morris' Report filed on 4/12/12.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Fee Waivers of both petitioners were denied on 2/27/12. Filing fee of \$225.00 is now due.
Audrina age: 3 years DOB: 1/20/2009			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 4/19/12
Updates:
Recommendation:
File 7B - Solis

7B

**Petition to Determine Succession to Real Property (Prob. C. 13151)**

<b>DOD: 12/20/08</b>		<p><b>TONY L. CUELLAR, RACHEL CUELLAR, ELIZABETH SALDATE, MARYLOU LUNA and DORA F. GREGG</b>, children of the decedent, are petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I &amp; A - <b>\$100,000.00</b></p> <p><b>Petitioners request</b> Court determination that Decedent's 100% interest in real property pass to them in equal shares pursuant to intestate succession.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need date of death of deceased spouse pursuant to Local Rule 7.1.1D.</p>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input checked="" type="checkbox"/>	<b>Inventory</b>			
<input checked="" type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W/O
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 4/19/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8 - Cuellar</b></p>	

**Order to Show Cause**

<b>DOD: 7/13/10</b>		<p><b>ROBERT ACUNA, JR. and DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Inventory and Appraisal was due on 9/26/11.</p> <p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p> <p>At the hearing the Court set this Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p> <p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Please see related case on page 10.</b></p>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 4/19/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Acuna</b></p>	

**Order to Show Cause**

<b>DOD: 7/13/10</b>		<p><b>ROBERT ACUNA, JR. and DESIREE ACUNA</b>, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>Inventory and Appraisal was due on 9/26/11.</p> <p>On 3/22/12 the Court signed an order granting attorney Mara Erlach's Motion to be Relieved as Counsel.</p> <p>At the hearing the Court set this Order to Show Cause hearing and Ordered both Robert Acuna, Jr. and Desiree Acuna to be present.</p> <p>Order to Show Cause and Minute Order were mailed to both Robert Acuna, Jr. and Desiree Acuna on 3/23/12.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 4/19/12</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 10 - Acuna</b>	

Age: 3 years DOB: 6/19/08		<u><b>Temporary Expires 4/26/12</b></u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need proof of <u>personal</u> service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:</b> <b>a. Donnie De'Monty Marquise Maiden (father)</b>  <b>2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:</b> <b>a. Maternal grandfather</b> <b>b. Maternal grandmother</b>
		<b>PHYLLIS LOUISE WILLIAMS,</b> paternal grandmother, is Petitioner.		
		Father: <b>DONNIE DE'MONTY MARQUISE MAIDEN</b> – <i>incarcerated in Phoenix, AZ – served by mail on 3/27/12.</i>		
Cont. from 022312		Mother: <b>FELICIA RAMIREZ</b> – <i>Court dispensed with notice by minute order dated 2/23/12.</i>		
	Aff.Sub.Wit.		Paternal Grandfather: Donnie Maiden Maternal Grandfather: Unknown Maternal Grandmother: Unknown	
✓	Verified		Petitioner states the father had sole custody of the minor. Father is now incarcerated and is unable to care for the minor.	
	Inventory		Petitioner states she has been actively involved in the minor's life since birth. A guardianship is necessary so that the Petitioner can provide the minor with the proper care and support.	
	PTC		<b>Court Investigator JoAnn Morris' Report filed on 4/11/12.</b>	
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
✓	Letters			
	Duties/Supp	X		
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: KT Reviewed on: 4/17/12 Updates: 4/23/12 Recommendation: File 11 - Maiden				

Atty Miller, Ronald J (pro per Conservator)

Status Hearing Re: Proof of Bond

Age:		NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<u><b>OFF CALENDAR.</b></u> Bond filed on 4/6/12.
		Reviewed by: KT
		Reviewed on: 4/19/12
		Updates:
		Recommendation:
		File 12 – Miller

**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Dallas Marie James</b> <b>Age: 1</b> <b>DOB: 2-5-11</b>		<b>NO TEMPORARY – DENIED 3-7-12</b>  <b>STEPHEN and ELYSE MARIE COOK</b> , Maternal Grandparents, are Petitioners.  Father (Dallas): <b>WILLIAM “KIMO” JAMES</b> <i>- Present in Court on 3-7-12</i>  Father (Summer): <b>STEVEN SOTO</b> <i>- Present in Court on 3-7-12</i>  Mother: <b>JAMIE MICHELLE COOK</b> <i>- Present in Court on 3-7-12</i>  Paternal Grandfather (Dallas): Not listed Paternal Grandmother (Dallas): Not listed  Paternal Grandfather (Summer): Joel Soto Paternal Grandmother (Summer): Carol Soto	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute Order 3-7-12 (Temporary Hearing):</u> Present: Petitioners, William James (Dallas' father), Steven Soto (Summer's father) and Jamie Cook (mother). Jamie Cook provides contact information. The Court denies the Petition. The general hearing remains set for 4-26-12.  <u>Note:</u> Court records indicate that the mother's DVTRO (restraining order) in 12CEFL00456 was terminated at her request at the hearing on 3-12-12.  <u>If this matter goes forward, the following issues exist:</u>  1. Need Notice of Hearing.  2. Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on: - Jamie Cook (Mother) - William “Kimo” James (Dallas' father) - Steven Soto (Summer's father)  <i>(Although the parents were all present in Court on 3-7-12, they are still entitled to be served with Notice of Hearing and a copy of the Petition per Probate Code §1511.)</i>  3. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per Probate Code §1511 on: - Dallas' paternal grandfather and grandmother (names not provided) - Summer's paternal grandfather and grandmother (Joel and Carol Soto)																																																																				
<b>Summer Sunshine Soto</b> <b>Age: 4</b> <b>DOB: 7-4-07</b>																																																																							
<table border="1"> <tr> <td></td> <td><b>Aff.Sub.Wit.</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>Verified</b></td> <td></td> </tr> <tr> <td></td> <td><b>Inventory</b></td> <td></td> </tr> <tr> <td></td> <td><b>PTC</b></td> <td></td> </tr> <tr> <td></td> <td><b>Not.Cred.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Notice of Hrg</b></td> <td>X</td> </tr> <tr> <td></td> <td><b>Aff.Mail</b></td> <td>X</td> </tr> <tr> <td></td> <td><b>Aff.Pub.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Sp.Ntc.</b></td> <td></td> </tr> <tr> <td></td> <td><b>Pers.Serv.</b></td> <td>X</td> </tr> <tr> <td>✓</td> <td><b>Conf. Screen</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>Letters</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>Duties/Supp</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>Objections</b></td> <td></td> </tr> <tr> <td></td> <td><b>Video Receipt</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>CI Report</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>Clearances</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>Order</b></td> <td></td> </tr> <tr> <td></td> <td><b>Aff. Posting</b></td> <td></td> </tr> <tr> <td></td> <td><b>Status Rpt</b></td> <td></td> </tr> <tr> <td>✓</td> <td><b>UCCJEA</b></td> <td></td> </tr> <tr> <td></td> <td><b>Citation</b></td> <td></td> </tr> <tr> <td></td> <td><b>FTB Notice</b></td> <td></td> </tr> </table>			<b>Aff.Sub.Wit.</b>		✓	<b>Verified</b>			<b>Inventory</b>			<b>PTC</b>			<b>Not.Cred.</b>			<b>Notice of Hrg</b>	X		<b>Aff.Mail</b>	X		<b>Aff.Pub.</b>			<b>Sp.Ntc.</b>			<b>Pers.Serv.</b>	X	✓	<b>Conf. Screen</b>		✓	<b>Letters</b>		✓	<b>Duties/Supp</b>		✓	<b>Objections</b>			<b>Video Receipt</b>		✓	<b>CI Report</b>		✓	<b>Clearances</b>		✓	<b>Order</b>			<b>Aff. Posting</b>			<b>Status Rpt</b>		✓	<b>UCCJEA</b>			<b>Citation</b>			<b>FTB Notice</b>		<p><b>Petitioners state</b> Mother fled to their home on 12-7-11 with the children after being physically abused by “Kimo” (Dallas' father). While staying with Petitioners, Mother's other daughter, Chloe (age 9) visited on weekends, but Mother was preoccupied with fighting on the phone with Kimo. Petitioners state Mother had just started to reconnect with Chloe since Kimo won't allow her to have a relationship with her.</p> <p>Mother obtained a restraining order against Kimo and custody of Dallas, but has now returned with the children to live with him. Petitioners called CPS and were advised to file for guardianship. Petitioners state the mother is not able to make sound decisions where the safety of Summer and Dallas is concerned while in this relationship with Kimo James. Petitioners fear for their physical and mental well-being. Petitioners attached a copy of the restraining order in Case #12CEFL00456. The UCCJEA indicates that the children have always lived with the mother.</p> <p><b>Mother filed an Objection on 3-6-12</b> stating that all allegations are false and she was not served.</p> <p><b>Court Investigator Samantha Henson filed a report on 4-19-12.</b></p> <p><b>DSS Social Worker Cathy Flores filed a report on 4-20-12.</b></p>
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	<b>FTB Notice</b>																																																																						
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 4-19-12 <b>Updates:</b> <b>Recommendation:</b> File 13 – James & Soto																																																																					



**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

Age: 17 years DOB: 11/6/1994		<u><b>GENERAL HEARING 5/1/2012</b></u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>JAVIER CRUZ</b> , mom's long term boyfriend, is petitioner.		<u>Note:</u> Related matter on page 7A. Petitioner, JAVIER CRUZ, is requesting to be appointed guardian of Audrina Solis (no relation to this minor).	
		Father: <b>UNKNOWN</b>			
Cont. from		Mother: <b>VIOLET LORRIANA MITTIE</b> – <i>deceased</i> .		<u>Note:</u> This matter was originally scheduled for 5/1/12. Minute Order dated 3/13/12 advanced the hearing to 4/26/12 to be heard with the related matter on page 7A. Notice of Hearing filed on 3/12/12 lists the hearing date as 5/1/12. The parties served were Brenda Mittie and Wilma Mittie. It is unclear how they are related to the minor.	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W/			
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✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting			Reviewed by: KT	
	Status Rpt			Reviewed on: 4/19/12	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 14 - Mittie	

**JAVIER CRUZ**, mom's long term boyfriend, is petitioner.

Father: **UNKNOWN**

Mother: **VIOLET LORRIANA MITTIE** – *deceased*.

Paternal grandparents: Unknown

Maternal grandfather: Unknown

Maternal grandmother: Wanda

Nelms – *deceased*.

Sibling: Matthew Snarr – *consents and waives notice*.

Minor: Christopher Mittie – *consents and waives notice*.

**Petitioner states** the minor's mother recently passed away, his father is an unknown person not listed on the birth certificate. The child needs a guardian as he has no parents, is still in school and requires someone to take care of him.

**Court Investigator Charlotte Bien's Report filed on 4/12/12.**

Petition for Letters of Administration; Authorization to Administer Under IAEA  
(Prob. C. 8002, 10450)

<b>DOD: 5/12/10</b>		<b>RICK GONZALEZ</b> , son, is petitioner and requests appointment as Administrator without bond.  Full IAEA – o.k.  Decedent died intestate.  Residence: Selma Publication: Selma Enterprise  <u><b>Estimated value of the estate:</b></u> Real property - \$30,000.00  <b>Probate Referee: STEVEN DIEBERT</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need date of death of deceased spouse pursuant to Local Rule 7.1.1D.  2. Need waivers of bond from Louis Gonzalez and John Miranda or bond set at \$30,000.
<b>Cont. from</b>			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
✓	Aff.Mail W/		
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	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 4/19/12
Updates:
Recommendation:
File 15 - Borunda

Atty Vasquez, Valerie (pro per Petitioner/maternal aunt)

## Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Julianna age: 7 yrs DOB: 2/19/2005		<p align="center"><b><u>GENERAL HEARING 5/30/2012</u></b></p> <p><b>VALERIE VASQUEZ</b>, maternal aunt, is petitioner.</p> <p>Father: <b>JULIAN REED</b></p> <p>Mother: <b>STEPHANIE REED</b></p> <p>Paternal grandfather: unknown Paternal grandmother: Grace Reed Maternal grandfather: Joe Reed Maternal grandmother: Lucy Furch</p> <p><b>Petitioner states</b> the children's parents are both incarcerated. The children need someone to be responsible for their educational and medical needs.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of <u>personal</u> service of the <i>Notice of Hearing</i> along with a copy of the <i>Temporary Petition</i> or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due Diligence</i> on :               <ol style="list-style-type: none"> <li>a. Julian Reed (father)</li> <li>b. Stephanie Reed (mother)</li> </ol> </li> <li>3. Need child information attachment for Julian Reed and Julianna Reed.</li> <li>4. Need UCCJEA</li> </ol>
Julian age: 6 years DOB: 3/10/2006			
William age: 4 yrs DOB: 12/25/2007			
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA	X	
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 4/20/12	
		Updates:	
		Recommendation:	
		File 16 - Reed	